

## **700 KAR 2:010. Gubernatorial forums or debates.**

RELATES TO: KRS 121A.100

STATUTORY AUTHORITY: KRS 121A.100

NECESSITY, FUNCTION, AND CONFORMITY: KRS 121A.100 provides that a qualifying slate of candidates that receives public funds shall participate in a reasonable number of televised debates or forums and requires KET to promulgate administrative regulations to establish the procedures to manage the debates or forums.

Section 1. Definitions. "Candidate" means a person seeking either a political party's gubernatorial or Lieutenant Governor nomination in a primary or runoff election or the office of Governor or Lieutenant Governor in a general election and who:

- (1) Is required by KRS 121A.100(1) to participate in a televised forum or debate;
- (2) Has satisfied the requirements under KRS Chapter 121A to obtain public financing but has declined to receive any public funding; or
- (3) Has qualified to have his name appear on an election ballot and is actively conducting a substantial statewide campaign to obtain a political party's nomination in a primary election or be elected in a general election.

Section 2. Primary, Runoffs and General Elections. (1) The Kentucky Authority for Educational Television (KET) shall notify gubernatorial and Lieutenant Governor candidates, in writing, of the number of forums or debates to be held at the KET studio, no less than sixty (60) days prior to the:

- (a) May primary elections; and
  - (b) November general election.
- (2) The number of forums or debates shall be based on the number of slates of candidates seeking nomination or election to the offices of Governor and Lieutenant Governor and the limitations contained in KRS 121A.100(1).
- (3) Formats for each of the democratic and republican primary election programs shall be designed according to the number of candidates participating in the forum or debate.
- (4) If there is a runoff primary election, KET shall schedule one (1) gubernatorial forum or debate to be held two (2) weeks prior to the runoff primary date.

Section 3. (1) Prior to the primaries, runoff and general elections, KET shall schedule separate forums or debates for the candidates for Lieutenant Governor.

(2) The forums or debates for candidates for Lieutenant Governor shall follow the guidelines established by the provisions of this administrative regulation.

Section 4. (1) No less than thirty (30) days prior to the primary and general elections, and fifteen (15) days prior to a runoff primary election, KET shall notify each candidate in writing prior to the broadcast of the:

- (a) Date, location and time of the live scheduled broadcast;
- (b) Length of the broadcast;
- (c) Format of the broadcast; and
- (d) That the candidate shall submit accurate and thorough biographical information from which introductions may be made by the program host.

(2) No less than one (1) week prior to the broadcast, KET shall notify the candidates in writing of the:

- (a) Names of candidates participating in the KET program;
- (b) Location of each candidate on the studio set;

- (c) Details describing how the studio set will be arranged; and
- (d) If applicable, the names of the journalists scheduled to participate in the forum or debate.
- (3) Participating journalists shall be:
  - (a) Selected by KET; and
  - (b) Representative of the Kentucky print and electronic media.
- (4) If a journalist is unable to participate in the scheduled program, KET shall select a substitute journalist.

Section 5. (1) On the day of the broadcast:

- (a) KET may elect to inform or brief candidates about issues or topics to be discussed in advance of the scheduled air time. If KET designates a format which includes briefing candidates in advance of the air time, it shall:
  - 1. Notify each candidate in writing of the topics or issues to be discussed; and
  - 2. Designate the initial round, or subsequent rounds, to which the issue or topic relates.
- (b) The candidates shall be instructed how studio time cues shall be given by KET technical personnel during the broadcast. A timekeeper and visual warning device shall be provided.
- (c) On the afternoon of the broadcast, each candidate or a representative shall be allowed fifteen (15) minutes to inspect the studio set.
- (2) During the broadcast candidates shall not:
  - (a) Hold, wear, or use any props such as visual materials, charts, photographs, articles or similar items.
  - (b) Wear campaign pins or name identification pins; or
  - (c) Bring prepared notes for use during the program. Paper and pen shall be available for note-taking during the program.
- (3)(a) The KET studio shall not be open during the program broadcast to members of the general public who are not participating in the debate or forum.
- (b) A limited number of guests of the candidates, as determined by KET, shall be provided seating in the KET Visitor's Center to view the program on television monitors.
- (c) The number of participating candidates and availability of seating space shall determine how many guests each candidate may request to be present.
- (4) Members of the electronic and print media shall:
  - (a) Not be allotted time while the candidates are in the KET studio prior to the broadcast to conduct interviews with the candidates;
  - (b) Be allowed in the studio during the program contingent upon availability of space;
  - (c) Have access to the KET Network Center where audio and video feeds are available; and
  - (d) Be permitted to question candidates who agree to an interview after the broadcast.
- (5) The televised candidate forum or debate shall air live from the KET studios in Lexington at a time specified in the notice required in Section 4(1) of this administrative regulation.
- (a) Candidates shall be notified in writing of their requested arrival time at the KET Network Center.
- (b) The total number of participating candidates shall determine the amount of time needed for prebroadcast activities.
- (c) Designated prebroadcast time shall be used for:
  - 1. Candidate make-up;
  - 2. Review of format and guidelines; and
  - 3. Random drawing to determine the order in which candidates shall speak.
- (d) A KET makeup artist shall be available for forum or debate participants.
- (e) If a forum or debate participant does not wish to use a KET makeup artist, he shall notify KET at least twenty-four (24) hours prior to the broadcast.

(6)(a) Upon written request, one (1) VHS video tape copy of the KET televised candidate forums or debates shall be provided, free of charge, to each media organization across the Commonwealth for simulcast or rebroadcast. All other requests shall be submitted and processed under the provisions of KRS 61.870 through 61.884.

(b) A delayed broadcast shall be aired:

1. Within seven (7) days of the original broadcast; and
2. As an uninterrupted program without commercial sponsorship.

(7) The program shall be broadcast with closed captioning for the deaf and hearing impaired.

(8) KET shall make all necessary accommodations for candidates with disabilities.

(9) KET shall select the location if remote site viewing is utilized by KET for citizen participation in the program via satellite or microwave transmission.

Section 6. The forum or debate host or moderator shall:

- (1) Be selected by KET fifteen (15) days prior to the program;
- (2) Impartially insure that the candidates follow the program guidelines and format;
- (3) Open and close the program;
- (4) Introduce the participants and briefly explain the rules; and
- (5) Insure that candidates' answers and statements are made within the allotted times.

Section 7. Format for Debates or Forums. (1) Formats for the debates or forums may include a combination of the following elements:

- (a) Opening statements delivered by the candidates;
  - (b) Questions posed directly to the candidates by representatives of the electronic and print media;
  - (c) Questions posed directly to the candidates by members of the audience;
  - (d) Questions submitted by members of the general public and posed by the program host;
  - (e) Questions posed by opposing candidates;
  - (f) Informal cross talk between opposing candidates about an issue introduced by the program host;
  - (g) Timed statements and rebuttals between opposing candidates; and
  - (h) Closing statements delivered by the candidates.
- (2)(a) Candidates shall be initially introduced by their title, if any.
- (b) Thereafter, candidates shall be addressed as Mr., Mrs., Miss, or Ms., according to the candidate's preference.
- (3) Duration of program elements and time allotted each candidate for statements or responses shall be based on the number of participating candidates.
- (4) Members of the general public may participate in the forum or debate through any one (1) of the following:
- (a) Live presence in the KET studios;
  - (b) Live presence at a remote location transmitted to the candidates by satellite or microwave;
  - (c) Videotaped questions recorded by KET earlier and presented to the candidates during the forum or debate;
  - (d) Recorded questions phoned in to KET in advance of the forum or debate and played back on air or relayed by the program host; or
  - (e) Written questions received by KET in advance of the forum or debate and read by the program host. (21 Ky.R. 1806; Am. 2129; eff. 2-8-95.)